

CIVIL ACTION NO. 5:23-cv-00580-FB

2. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 2 and on that basis deny the allegations.

3. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 3 and on that basis deny the allegations.

4. Defendants deny the allegations contained in ¶ 4 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 4 and on that basis deny the allegations.

5. Defendants deny that they supported the conduct alleged in ¶ 5. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 5 and on that basis deny the allegations.

6. Defendants deny the allegations contained in ¶ 6 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 6 and on that basis deny the allegations.

The Medical Doctor Defendants

7-16. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 7-16 and on that basis deny the allegations.

The Fixer Defendants

17. Defendants deny the allegations contained in ¶ 17 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 17 and on that basis deny the allegations

18-26. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 18-26 and on that basis deny the allegations.

27. Defendants deny the allegations contained in ¶ 27.

The Investor Defendants

28-39. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 28-39 and on that basis deny the allegations.

The Labor Trafficking Defendants

40-51. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 40-51 and on that basis deny the allegations.

JURISDICTION AND VENUE

52. Paragraph 52 states a legal conclusion to which no response is required and on that basis Defendants deny the allegations.

53. Paragraph 53 states a legal conclusion to which no response is required and on that basis Defendants deny the allegations.

54. Paragraph 54 states a legal conclusion to which no response is required and on that basis Defendants deny the allegations.

55. Paragraph 55 states a legal conclusion to which no response is required and on that basis Defendants deny the allegations.

56. Paragraph 56 states a legal conclusion to which no response is required and on that basis Defendants deny the allegations.

57. Paragraph 57 states a legal conclusion to which no response is required and on that basis Defendants deny the allegations.

58. Paragraph 58 states a legal conclusion to which no response is required and on that basis Defendants deny the allegations.

PARTIES

Plaintiffs

59. Defendants admit the allegations contained in ¶ 59.

60. Defendants admit the allegations contained in ¶ 60.

Defendants

61-77. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 61-77 and on that basis deny the allegations.

78. Defendants admit the allegations contained in ¶ 78.

79. Defendants admit the allegations contained in ¶ 79.

80-81. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 80-81 and on that basis deny the allegations.

Third Parties

82. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 82 and on that basis deny the allegations.

83. Paragraph 83 does not call for a response.

STATEMENT OF FACTS

Hubbard Meets and Marries Rick

84. Defendants admit that in 2009 Hubbard was in a custody battle over two children from her previous marriage with Shawn Mayer. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 84 and on that basis deny the allegations.

85. Defendants admit that Rick Hubbard and Julia Hubbard were married and had a daughter in or about 2010. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 85 and on that basis deny the allegations.

86-88. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 86-88 and on that basis deny the allegations.

Financial Difficulties Lead Rick to Dr. Eller

89-90. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 89-90 and on that basis deny the allegations.

91. Defendants admit that Hubbard grew up in a conservative Mormon household. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 91 and on that basis deny the allegations.

92-95. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 92-95 and on that basis deny the allegations.

Rick Begins to Pressure Hubbard

96-101. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 96-101 and on that basis deny the allegations.

Rick Meets Eller

102-108. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 102-108 and on that basis deny the allegations.

Rick and Eller Begin to Build the Venture

109-120. Defendants lack knowledge or information sufficient to form a belief about the

truth of the allegations contained in ¶ 109-120 and on that basis deny the allegations.

121. Defendants admit that Julia Hubbard obtained custody of her daughter with Rick Hubbard. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 121 and on that basis deny the allegations.

122-125. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 122-125 and on that basis deny the allegations.

The Venture Adds the Medical Doctor Defendants

126-141. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 126-141 and on that basis deny the allegations.

The Fixer Defendants

142-147. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 142-147 and on that basis deny the allegations.

148. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 148 and on that basis deny the allegations. Defendants deny, however, that Shawn Mayer was under investigation for child exploitation.

149. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 149 and on that basis deny the allegations. Defendants deny, however, that Shawn Mayer abused Hubbard.

150. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 150 and on that basis deny the allegations.

151. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 151 and on that basis deny the allegations.

The Investor Defendants

152-154. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 152-154 and on that basis deny the allegations.

Defendant Crow

155-161. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 155-161 and on that basis deny the allegations.

162. Defendants admit that the children attended the Kiddie Campout while Hubbard had custody. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 162 and on that basis deny the allegations.

163-179. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 163-179 and on that basis deny the allegations.

Defendant Brunson

180-184. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 180-184 and on that basis deny the allegations.

Defendant Cain

185-189. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 185-189 and on that basis deny the allegations.

Defendant Cole

190-193. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 190-193 and on that basis deny the allegations.

Defendant Ecob

194-197. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 194-197 and on that basis deny the allegations.

Defendant Juracek

198-201. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 198-201 and on that basis deny the allegations.

Defendant Pruitt

202-208. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 202-208 and on that basis deny the allegations.

Defendant Rogers

209-212. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 209-212 and on that basis deny the allegations.

Defendants Shawn and Jade Mayer

213. Defendants admit that Shawn Mayer is the former husband of Hubbard. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 213 and on that basis deny the allegations.

214. Defendants deny receiving cash payments from Rick. Defendants deny that the children have attended the Kiddie Campout since Defendants obtained custody of the children from Hubbard. Defendants deny that Rick provided any hotel rooms except for one occasion on which Rick and Goedinghaus came into town to attend a wedding, and Rick requested that Defendants keep two children overnight; Defendants refused to do so in their home out of concerns that allegations

might be made against them (since Hubbard had previously made such allegations during a custody dispute), so it was agreed that Rick would instead pay for two hotel rooms, one for Defendants and the other for all of the children where they could spend time together and catch up with each other. Defendants deny that Rick told them not to contact Hubbard, except for one time while a custody dispute was pending in court and both Hubbard and Rick told Defendants that it would be better to communicate through Rick rather than directly with Hubbard. Defendants deny the remaining allegations contained in ¶ 214.

215. Defendants deny that Hubbard informed them prior to 2020 that she had been trafficked. Defendants deny the remaining allegations contained in ¶ 215.

216. Defendants deny that they have asked the children to request money from Rick. On one occasion in about July 2019 one of the children on their own requested that Rick help financially with a present that the child wanted to purchase for a sibling. Defendants deny the remaining allegations contained in ¶ 216.

217. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 217 and on that basis deny the allegations.

218. Defendants deny that they had conversations with Rick within earshot of Kayla Goedinghaus, except for one occasion in Defendants' home that lasted about 15-20 minutes with one of the children present (and the other children in the next room watching a movie), and the topic of conversation was blueprints and cabinets color options and styles. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 218 and on that basis deny the allegations.

219. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 219 and on that basis deny the allegations.

Rick Escalates the Venture's Activities

220-231. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 220-231 and on that basis deny the allegations.

Hubbard Leaves Rick

232-241. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 232-241 and on that basis deny the allegations.

Hubbard Meets Hynes

242-249. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 242-249 and on that basis deny the allegations.

Hubbard Loses Her Home

250-264. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 250-264 and on that basis deny the allegations.

Plaintiff Goedinghaus Meets Rick

265-270. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 265-270 and on that basis deny the allegations.

The Venture Traffics Goedinghaus

271-287. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 271-287 and on that basis deny the allegations.

Defendant Burlingame

288-293. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 288-293 and on that basis deny the allegations.

The Venture Affected Interstate Commerce

294-299. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 294-299 and on that basis deny the allegations.

Specific TVPA Allegations Against Each Defendant

300. Defendants deny that they violated the TVPA through their actions. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 300 and on that basis deny the allegations.

SPECIFIC TVPA ALLEGATIONS

Defendant Crow

301-315. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 301-315 and on that basis deny the allegations.

Defendant Eller

316-325. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 316-325 and on that basis deny the allegations.

Defendant Miller

326-330. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 326-330 and on that basis deny the allegations.

Defendant Woods

331-336. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 331-336 and on that basis deny the allegations.

Defendant Shah

337-341. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 337-341 and on that basis deny the allegations.

Defendant Cain

342-346. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 342-346 and on that basis deny the allegations.

Defendant Juracek

347-351. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 347-351 and on that basis deny the allegations.

Defendant Ecob

352-356. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 352-356 and on that basis deny the allegations.

Defendant Cole

357-361. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 357-361 and on that basis deny the allegations.

Defendant Mitchell

362-366. Defendants lack knowledge or information sufficient to form a belief about the

truth of the allegations contained in ¶ 362-366 and on that basis deny the allegations.

Defendant Knewitz

367-371. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 367-371 and on that basis deny the allegations.

Defendant Rogers

372-376. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 372-376 and on that basis deny the allegations.

Defendant Pruitt

377-381. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 377-381 and on that basis deny the allegations.

Defendant Brunson

382-386. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 382-386 and on that basis deny the allegations.

RICO Predicate Acts

387. Defendants deny the allegations contained in ¶ 387 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 387 and on that basis deny the allegations.

388. Defendants deny the allegations contained in ¶ 388 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 388 and on that basis deny the allegations.

389. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 389 and on that basis deny the allegations.

390. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 390 and on that basis deny the allegations.

391. Defendants deny the allegations contained in ¶ 391 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 391 and on that basis deny the allegations.

392. Defendants deny the allegations contained in ¶ 392 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 392 and on that basis deny the allegations.

393. Defendants deny the allegations contained in ¶ 393 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 393 and on that basis deny the allegations.

394. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 394 and on that basis deny the allegations.

395. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in ¶ 395 and on that basis deny the allegations.

CAUSES OF ACTION

Count One: Human Trafficking Laws: Sex Trafficking

396. Paragraph 396 does not call for a response.

397. Defendants deny the allegations contained in ¶ 397 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth

of the remaining allegations contained in ¶ 397 and on that basis deny the allegations.

398. Defendants deny the allegations contained in ¶ 398 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 398 and on that basis deny the allegations.

399. Defendants deny the allegations contained in ¶ 399 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 399 and on that basis deny the allegations.

Count Two: Human Trafficking Laws: Labor Trafficking

400. Paragraph 400 does not call for a response.

401. Defendants deny the allegations contained in ¶ 401 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 401 and on that basis deny the allegations.

402. Defendants deny the allegations contained in ¶ 402 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 402 and on that basis deny the allegations.

403. Defendants deny the allegations contained in ¶ 403 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 403 and on that basis deny the allegations.

Count Three: RICO: Pattern of Racketeering

404. Paragraph 404 does not call for a response.

405. Defendants deny the allegations contained in ¶ 405 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth

of the remaining allegations contained in ¶ 405 and on that basis deny the allegations.

406. Defendants admit the allegations contained in ¶ 406.

407. Defendants deny the allegations contained in ¶ 407 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 407 and on that basis deny the allegations.

408. Defendants deny the allegations contained in ¶ 408 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 408 and on that basis deny the allegations.

409. Defendants deny the allegations contained in ¶ 409 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 409 and on that basis deny the allegations.

410. Defendants deny the allegations contained in ¶ 410 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 410 and on that basis deny the allegations.

411. Defendants deny the allegations contained in ¶ 411 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 411 and on that basis deny the allegations.

412. Defendants deny the allegations contained in ¶ 412 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 412 and on that basis deny the allegations.

413. Defendants deny the allegations contained in ¶ 413 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 413 and on that basis deny the allegations.

Count Four: RICO: RICO Conspiracy

414. Paragraph 414 does not call for a response.

415. Defendants deny the allegations contained in ¶ 415 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 415 and on that basis deny the allegations.

416. Defendants admit the allegations contained in ¶ 416.

417. Defendants deny the allegations contained in ¶ 417 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 417 and on that basis deny the allegations.

418. Defendants deny the allegations contained in ¶ 418 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 418 and on that basis deny the allegations.

419. Defendants deny the allegations contained in ¶ 419 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 419 and on that basis deny the allegations.

420. Defendants deny the allegations contained in ¶ 420 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 420 and on that basis deny the allegations.

421. Defendants deny the allegations contained in ¶ 421 to the extent the allegations pertain to them. Defendants lack knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in ¶ 421 and on that basis deny the allegations.

AFFIRMATIVE DEFENSES

First Affirmative Defense: Statute of Limitations

422. Some or all of Plaintiffs' claims are barred by the applicable statute of limitations, including, but not limited to, the four-year statute of limitations applicable to Civil RICO claims.

Second Affirmative Defense: Divorce Obligations

423. Some or all of the payments and other benefits received by Defendants were in the discharge of Plaintiff Hubbard's obligation to pay child support and/or were incidental to costs incurred in visitation and/or were for the benefit of the children of Plaintiff Hubbard and Defendant Shawn Mayer.

Third Affirmative Defense: Res Judicata and Collateral Estoppel

424. Plaintiffs' claims are barred, in whole or in part, by res judicata and/or collateral estoppel based on prior litigation between Plaintiff Hubbard and Defendant Shawn Mayer.

Fourth Affirmative Defense: Contributory or Comparative Fault

425. Plaintiffs' damages, if any, were caused, in whole or in part, by acts or omissions of Plaintiffs or third parties over whom Defendants had no control and for which they are not legally responsible. Plaintiffs' recovery, if any, should be barred or proportionately reduced by Plaintiffs' and third parties' fault or degree of responsibility.

Fifth Affirmative Defense: Offset or Credit

426. Defendants are entitled to an offset or credit for any amounts Plaintiffs recover from any other person for such loss, injury or damages at trial, through settlement, or otherwise.

Sixth Affirmative Defense: Damages Too Speculative and Remote

427. Plaintiffs' claims are barred, in whole or in part, because the damages Plaintiffs seek are too speculative and remote and because of the impossibility of the ascertainment and allocation of such alleged damages.

Seventh Affirmative Defense: Avoidable Consequences And/or Failure to Mitigate

428. Plaintiffs' claims are barred, in whole or in part, or, at a minimum, recovery should be reduced pursuant to the doctrines of avoidable consequences and/or failure to mitigate. To the extent Plaintiffs may have suffered any damages, they were required to take reasonable and timely actions to limit their losses which they failed to do.

Eighth Affirmative Defense: in Pari Delicto

429. Plaintiffs' claims are barred in whole or in part by the doctrine of in pari delicto because, to the extent any of the alleged conduct occurred, Plaintiffs were knowing and active participants in it and received benefits therefrom. Application of the doctrine here does not interfere with the policy goals of the relevant federal statutes.

PRAYER

WHEREFORE, Defendants Shawn Mayer and Jade Mayer request judgment:

- (A) that Plaintiffs take nothing by their suit;
- (B) that Plaintiffs' claims be denied in their entirety as to Defendants Shawn Mayer and Jade Mayer;
- (C) that Plaintiffs be awarded their costs of court incurred in this suit; and
- (D) that the Court grant Defendants Shawn Mayer and Jade Mayer such other, further, and general relief to which they may show themselves to be justly entitled.

Date: March 22, 2024

Respectfully submitted,

/s/ Kurt S. Elieson

Kurt S. Elieson
Texas Bar No. 06521100
kurte@carplawfirm.com – Email
CARPENTER & ASSOCIATES
555 Republic Drive, Suite 510
Plano, Texas 75074
972-455-8700 – Tel.
972-767-5599 – Fax

CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2024 a true and correct copy of the foregoing document has been served on all counsel of record via CM/ECF at the time of filing.

/s/ Kurt S. Elieson

Kurt S. Elieson